MHR Connections

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THE MANITOBA HUMAN RIGHTS COMMISSION

LA COMMISSION DES DROITS DE LA PERSONNE DU MANITOBA

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Equality of Opportunity and Freedom from Discrimination

The Commission releases Service Animal Public Consultation Report

School superintendents, rental property owners, service providers and service animal users agree that the Manitoba Human Rights Commission Consultation Report on Service Animals is a step in the right direction to reduce the confusion surrounding the rights and responsibilities of service animal users.

Since *The Human Rights Code* was amended in June 2012 and the term "guide dog" was replaced with "service animal," there has been confusion about the right of individuals who use service animals to be free from discrimination, including guaranteed access to public establishments, and the corresponding obligations of employers, service providers and landlords, to ensure that freedom.

Commission Chairperson Yvonne Peters with Hope.

"Service animals, especially dogs, are increasingly being relied upon to meet the specialized needs of individuals with disabilities other than visual or hearing disabilities," says Yvonne Peters, Chairperson of the Manitoba Human Rights Board of Commissioners. "The evolution continues and this report reveals the path the Human Rights Commission will be taking to ensure the rights and responsibilities of everyone."

Public consultations were held in Winnipeg and Brandon in September and October, 2014. Participants included service providers, school representatives, rental property owners, and users of various animal assistants.

Associations such as the Manitoba Restaurant and Foodservices Association (MRFA) and the Manitoba Hotel Association (MHA) support the report and appreciate that its concerns are being acknowledged. Scott Jocelyn, Director of the MRFA says that the consultation and following report recognizes that clarification and education on what is a service animal is imperative to make sure everyone's rights are protected. "I am especially looking forward to working with the Commission and other stakeholders, including the Provincial Government, to work towards further solutions," he says.

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The Rights Connection
by Yvonne Peters - Chairperson

In 2014, the Commission received a request from employers and managers in The Pas that the business community in the North was very interested in human rights issues and wanted programs delivered to The Pas surrounding area.

This was an opportunity to ensure the northern public is aware of the protections found in *The Human Rights Code* and to listen and learn about the concerns of northern employers or employees.

Approximately 20 individuals coming from various government departments and local employers including the Opaskwayak Cree Nation attended a seminar hosted by the Commission. The session was hosted by Isha Kahn, the Commission's legal Counsel.

During an open question and answer forum, participants raised specific issues about employment equity and hiring considerations and most said certain barriers existed in the workplace and that education about human rights in general would benefit them.

We are always looking for ways to broaden the reach of our message that every person should be treated on the basis of their personal merit and that there is no tolerance for prejudice or stereotyping based on race, sex or any other characteristic protected in *The Human Rights Code*.

By listening the Commission can develop strategies and programs to directly address discrimination in Northern Manitoba.

A second trip to the northern part of our province is planned for March. A team from the human rights commission will be travelling to Thompson and Nisichawayasihk Cree Nation - Nelson House. They will be hosting a seminar dealing with how to take a proactive approach to human rights in the workplace.

In addition to the educational seminar our team will be holding youth rallies for grade eight students. These "Dream Rights Rallies" are engaging and educational. They teach students about not only the rights that they have in Manitoba, but also the responsibilities they have to ensure that other people's rights are also protected. All this happens in a fun, interactive way.

The Commission is determined to offer the same education service to northern communities that it has available in Brandon and Winnipeg. It is important to everyone that rights and responsibilities are widely known throughout the province.

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Frank Kosh-Schulte President of Professional Property Managers Association (PPMA) agrees and emphasizes that clarification is an important element when deciding when to consider reasonably accommodating certain animal assistants in rental housing.

The need for a better understanding is echoed by school representatives and business owners as well as service animal users. "The most important aspect of these consultations is to ensure service animal users do not face barriers and are allowed equal access to rental/condominium housing, employment opportunities, and public services," says Ms Peters.

Susan Hardie, the Executive Director of the Canadian Centre on Disability Studies and service animal user, who attended the consultation, agrees with Ms Peters, adding that persons with invisible disabilities using service animals can face even more barriers and the proposed actions are important steps towards eliminating these barriers.

"The education component is imperative and I look forward to working with the Commission to ensure that all service providers receive the clarity they require," says Ms Hardie.

The report includes a series of actions to be implemented by the Human Rights Commission and recommendations to other stakeholders. A revised Board of Commissioners policy has been approved. Substantive changes will be made to existing guidelines and new informational fact sheets will be developed over the next six months.

The report and the Commission's Board policy on service animals are on the Commission's website.

The Business of Human Rights

The Manitoba Human Rights Commission is offering a seminar in Thompson that will benefit employers, supervisors, managers and those working in human resources.

Now is time to have a pro-active approach to human rights in the workplace by initiating policies which will benefit you as the employer and your employees, both present and future. During this half day workshop, discrimination and harassment under *The Human Rights Code* (Manitoba), reasonable accommodation, and avoiding mistakes during the hiring process will be discussed.

Monday, March 9, 2015: 8:30 p.m - 11:30 p.m.

Cost: $75.00 per participant, including lifestyle break.

These funds will support all Grade 8 Students in Mystery Lake School Division to attend an MHRC "Rights Rally" in March.

Best Western Thompson Hotel & Suites
205 Mystery Lake Road

Please register by emailing sheilagh.hooper@gov.mb.ca **by March 5, 2015**
Questions may be directed to 204 726-6262 or hrc@gov.mb.ca

Present and past staff and members of the Board of Commissioners wished Elliot future success and thanked him for his contributions to human rights. Elliot was presented with an original painting by local painter, Markus.

Elliot Leven leaves the Board of Commissioners

Elliot Leven has been a member of the Manitoba Human Rights Board of Commissioners since 2002 and for the past year served as Vice-Chairperson.

In 2003 Mr. Leven appeared before the House of Commons Standing Committee on Justice and Human Rights to speak on the issue of marriage and the legal recognition of same-sex unions. He urged the Committee to recommend that the Government of Canada legislate to remove the opposite-sex requirement for parties to a marriage, thereby permitting same sex couples to legally marry.

More recently, Mr. Leven was a Commission representative on a committee working towards changes to the Vital Statistics Act. Earlier this month the law officially changed and it is no longer required that a Manitoban have transsexual surgery in order to change his or her sex designation on a birth certificate.

Throughout out his years as a Commissioner and Vice-Chairperson, Mr. Leven was a vocal supporter of the Human Rights Commission and he often referred to the "exceptional work of the staff."

Mr. Leven has been appointed Deputy Chief Commissioner of the Manitoba Residential Tenancies Commission and will be hearing appeals in landlord/tenant disputes.

The Commission thanks Mr. Leven for his years of service and his dedication to human rights, especially dealing with such issues as gay marriage, gender identity and the rights of people with disabilities, and his many contributions to the Connections Bulletin.

Ms Loretta Ross has been appointed the new Vice-Chairperson of the Board of Commissioners. She is a member of the Hollow Water First Nation in Manitoba and obtained her law degree from Queens' University and has been a practicing lawyer for over 20 years.